

Invitation to Tender

For the Provision of Home Support Services
(incorporating services formerly tendered as Enhanced Homecare Services & incorporating traditional Home Help Services) not delivered by HSE directly employed staff

HSE Project Number 10127

Tender closing date: 12 noon, 20th June 2018

<p>Tender Title</p>	<p>Provision of Home Support Services</p>
<p>HSE Ref</p>	<p>Project 10127</p>
<p>Tender Description</p>	<p>The HSE invites tender submissions from interested parties for the provision of high quality, Home Support Services (or “HSS”) for older people, where HSE directly employed staff are not available to deliver such services. <i>The Home Support Services being procured in this tender incorporates</i> <i>(1) services previously tendered as Enhanced Homecare Services and</i> <i>(2) traditional Home Help Services which have been part of the single funded Home Support Services (HSS) since 1st January 2018, and</i> <i>(3) home support services provided through Intensive HCP funded arrangements when HSE directly employed staff are not available to deliver the services, and</i> <i>(4) as explained further below, HSE is introducing Consumer Directed Home Support Services, as an additional approach to service delivery.</i> <i>All of the above requirements relate to when HSE directly employed staff are not available to deliver the services.</i></p> <p>The HSE has engaged in a market sounding exercise and undertaken extensive consultation with key stakeholders over an extended period of time to develop this tender process which takes account of the issues raised during that engagement. This engagement has informed the structure of this tender process which the HSE is satisfied is fair, transparent, treats all bidders equally and without discrimination.</p> <p>These Services are critical to many vulnerable members of society and represent a key feature in the HSE’s Service Plan. The HSE is looking forward to engaging with bidders proactively and in a positive manner to deliver these essential Services.</p> <p>The outcome of this tender process will apply to any new clients receiving a Home Support Service allocated from the commencement of the new Agreement where HSE directly employed staff are not available to deliver the Service.</p> <p>This requirement for Home Support Services is where clients require such services and supports within available resources and where HSE directly employed staff are not available to deliver same. Successful Tenderers under this tender process will provide the Home Support Services required (“Approved Providers”).</p> <p>The requirement therefore constitutes a supplement to direct provision.</p> <p>The following should be noted:</p> <ol style="list-style-type: none"> 1) New HSS clients (not already in receipt of any HSS) will have their Home Support Service provided by their chosen single Approved Provider under this tender competition, when HSE directly employed staff are not available to deliver the Services. 2) Existing HSS clients (in receipt of HSE funded Home Support Service on date of commencement of these contracts the subject of this Tender

	<p>process) are not affected by this Tender and may continue to receive their existing level of service from their existing provider under existing arrangements & rates. They may opt to transfer their existing service to one of the Approved Providers who are successful under this Tender. If an existing client is approved for additional hours, which is delivered by an Approved Provider (Tender 2018), the additional hours will be paid at Tender 2018 rates bid by that Approved Provider. Existing rates continue to apply to existing hours. In the event that the Approved Provider does not participate in this Tender process then additional hours will be paid based on average of the top two (2) lowest prices provided by Tier 1 Approved Providers in the relevant Lot under this 2018 tender process.</p> <p>3) Grant Funded Arrangements: Specific arrangements apply in relation to Grant Funded providers which are set out in Section 9.4 below.</p> <p>4) The HSE is introducing Consumer Directed Home Support (CDHS) across the 9 CHOs as an additional service delivery mechanism (See section 9 below & the Service Specifications document).</p> <p>The Home Support Service should be managed and provided at all times in a way that meets the individual needs of the person receiving home support and respects the rights, privacy, culture, dignity and care needs of the individual.</p> <p>The required Services are healthcare services. Healthcare services fall under the heading of “social and other specific services” for procurement law purposes. Healthcare Services are subject only to Part 3 of the European Union (Award of Public Authority Contracts) Regulations 2016 (S.I. 284 of 2016) (the “Regulations”). The balance of the provisions of the Regulations do not apply to this Tender process.</p> <p>Please refer to the tender process description, the specification overview, and all other related tender documents for further details.</p>
CPV Code/Description	<p>85000000 - 9 Health and Social work services 85140000 - 2 Miscellaneous health services 98513310 – 8 Home Support</p>

1) TENDER RETURN REQUIREMENTS

Completed tenders must be returned to:	All tender submissions must be completed and returned through the etenders postbox facility. Tenderers must register with www.etenders.gov.ie and express an interest in this tender competition in order to be able to submit their electronic tender.
Closing Date	12 noon, 18th June 2018
Queries Deadline	12 noon, 1st June 2018
HSE Tender Contact	<p>Mr Robert Notley,</p> <p>Tel. [●] 00 353 1 8908718</p> <p>Email [●] robert.notley1@hse.ie</p>

1.1 Tender Validity

The tender shall remain valid for 6 Months.

Tender Submission Checklist	Check
Is the Tender Response document completed in full and submitted via etenders postbox facility?	
Is all Supporting documentation required submitted via the etenders postbox facility?	
Have you noted the closing time and date for the return of submissions?	

Note:

- It is imperative that all questions in the Tender Response section, the Tender Response Document and Service Specifications Response Document are completed in the format provided as this Tender Response section will be used as the basis for evaluation of selection and award.
- If you have any queries or problems completing this document please email the HSE contact identified above.
- For general information on HSE refer to www.hse.ie

2) SPECIFICATION OF REQUIREMENT

Range of Anticipated Duties

The following is a range of anticipated duties that may be required for Home Support Services, as per the Home Support Plan pursuant to care needs assessment undertaken by HSE designated staff; this list is not exhaustive and required Services will vary depending upon individual needs.

- Provide all aspects of personal care including assistance with getting in and out of bed, showering/bathing, supervised toileting as per Home Support Plan delegated by relevant HSE staff.
- Manage continence care to include appropriate disposal of incontinence wear and reporting of any change in Client's condition to relevant HSE staff.
- Provide medication prompting and collection from pharmacy where required as per the Home Support Plan. Costs associated with the collection of medication from a pharmacy are to be accommodated within appropriate hourly rates and mileage rates where agreed.
- Observe dietary intake, ensuring that food and fluids are consumed as per Home Support Plan. If the Client is experiencing on-going difficulty eating or drinking, the Home Support Worker must report this to their supervisor, who must then report this matter to the relevant HSE staff, and appropriately record in the record of care.
- Undertake meal preparation as per Home Support Plan.
- Encourage Clients to exercise independently, where appropriate. Use appropriate mobility devices and delegated exercise programme as per Home Support Plan
- Observe and report any changes in general health and well-being and skin integrity and the Home Support Worker must report this to their supervisor, who must then report this matter to the relevant HSE staff, and appropriately record in the record of care.
- Undertake essential household duties as per Home Support Plan to maintain a safe environment pertaining to the Client including basic kitchen/day living area, bathroom and bedroom hygiene, heating and fire preparation where appropriate, rubbish removal and disposal as required.
- Provide sessional home respite service where specifically required, as per Home Support Plan.
- Shop for relevant food requirements where no other support exists.
- Document care given and any issues of concern, and report as appropriate to the HSE.

A detailed Service Specifications document is being issued as part of the tender documentation pack.

Tenderers should closely examine the Service Specification (or Specification), and provide information as requested in the Tender Response Document.

3) TENDER COMPETITION RULES

This tender process shall be subject to the HSE's Tender Competition Rules, a copy of which is being provided as part of the tender documentation.

See **HSE standard Terms and Conditions**, link below:

<https://www.hse.ie/eng/about/who/healthbusinessservices/procurement/hsestandardtermsforservicesuppliers.pdf>

4) COMMUNICATIONS

As noted in Section 1 above, the sole point of contact within the HSE for this tender competition shall be:

Mr Robert Notley, HBS Procurement

Tel: [●] 00 353 1 8908718

Email: [●] robert.notley1@hse.ie

Tenderers may submit clarification queries during the tender process in respect of matters contained in the Tender Documents (including the Specification). **All clarification requests must be forwarded via eTenders website.** Such requests received will be collated and responses issued to all Tenderers via eTenders website. All clarification responses issued will be deemed to form a constituent element of the tender documentation.

Any necessary meetings or discussions will be arranged and/or facilitated by the point of contact. In all phases of this procurement, all communication among Tenderers and the HSE related to the Invitation to Tender must be in writing, preferably by email via eTenders website. All Tenderers will be advised by email of any significant issues raised by any Tenderer. Copies of all questions received and answers given will be forwarded to all participants via the etenders website. It is the responsibility of all Tenderers to check their email on a daily basis.

Questions received after **12 noon, 1st June 2018** will not be entertained.

Tenderers shall not contact any other HSE personnel about this tender between the issuance of this document and the date of award unless previously authorised to do so.

Failure to comply with any of the above procedures may result in disqualification of the Tenderer.

5) SERVICE ARRANGEMENT

The successful tenderers will be required to execute the HSE's standard Service Arrangement for the provision of Home Support services.

It is intended that the Service Arrangements emerging from this tender will expire on 31/12/2020, as stated in 1.1, but will be signed in line with standard approach to such agreements in operation within HSE. HSE will reserve the right to extend the duration of the arrangements arising from this tender by a further two years up to a maximum of 31/12/2022. **This is subject to the reservations in the note on Page 7 of this document.**

The Service Arrangement will be subject to review on an ongoing basis. The successful Tenderers will be expected to participate in monitoring (including providing periodic management reports for the term of the Service Arrangement) and continuously improving the Services required under the Service Specification.

The HSE intends to put additional resources in place to monitor service delivery and performance under these contracts. Service providers will be subject to ongoing review, audit and inspection of their service delivery, service management and support, and of their facilities.

Please note that the HSE does not guarantee any level of business to any service provider under these arrangements.

Please Note:

The Department of Health is currently engaged in a detailed process to determine what type of legislated home support scheme is best for Ireland. This process will consider the future design of both the funding and regulation systems for these crucial services. The outcome of this tender and the arrangements & agreements arising from it are subject to any superseding legislation that may impact on Home Support Services in Ireland, even where this arises within the planned timelines of these tender arrangements and emerging agreements.

In addition, in the event that there are other regulatory changes which come into effect after the award of contracts (and which, for example, affect some but not all Approved Providers) the HSE reserves the right to take the appropriate course of action at the relevant time which may include adjustments to the allocation of Tier 1 and Tier 2 Approved Providers status or the re-tendering of the services the subject matter of this tender process as the HSE considers necessary and appropriate having regard to all relevant circumstances prevailing at the time.

6) EVALUATION PROCESS

This procurement process is being conducted in four steps as follows:

Step 1 – Standard Tender Response

- A. Tenderers must in the first instance complete all **relevant tender declarations, and comply with tax clearance and insurance requirements and supply a financial viability statement prepared and signed by an independent professional.**

Step 2 - Service Specifications (minimum requirements)

If Tenderers meet the requirements under step one on a pass/fail basis, they will then be considered under Step two as follows:

- A. For Tenderers in the previous tender process (2016) that were deemed by HSE to have met the minimum standards contained therein, **a self-declaration** included in the Service Specifications Response Document, confirming on going compliance with these specifications will be required, taking account of the amendments to these specifications set out in these Tender documents. HSE reserves the right to check compliance as part of the Tender evaluation.
- B. For Tenderers in the previous process that did not meet all the minimum specifications under certain headings, or any tenderers that did not participate in the 2016 tender, they will be required to complete the Service Specifications Response Document, and will be assessed under each heading **on a pass / fail basis**. Tenderers are reminded to submit sufficient evidence to facilitate HSE to assess compliance and HSE reserves the right to check compliance as part of the Tender evaluation.
- C. Existing service providers (performing Services under contracts awarded under other arrangements e.g. the 2012 Tender process) who did not participate in the 2016 Tender process, shall be required to **complete a Service Specifications Response Document, and will be assessed under each heading on a pass / fail basis**. Tenderers are reminded to submit sufficient evidence to facilitate HSE to assess compliance and HSE reserves the right to check compliance as part of the Tender evaluation.

The HSE reserves the right undertake site visits, and/ or to seek appropriate documentary evidence, to support claims made in relation to any or all Service specifications, as part of evaluation, and /or as part of monitoring arrangements in the operation of these arrangements.

Step 3 - Local service delivery

If Tenderers meet the requirements under step two on a pass/fail basis, they will then be considered under Step three as follows:

- A. **All Tenderers** must have in place robust **Management and Clinical Governance Arrangements** and are required to complete the relevant attachment to the **Tender Response Document**. They will be assessed under a pass/fail basis. (A current organisation chart and maximum of a 200 word description of the Management and Clinical Governance arrangements in place shall be required)
- B. This tender is being divided into nine distinct regional lots nationwide, in alignment with the Community Healthcare Organisations (CHOs). (Please refer to Appendix 1 in this document)

C. Interested parties (including consortia) must demonstrate how they intend to deliver services across the entire specific lot (the “service area”) of each CHO for which they wish to be considered.

- **Current capacity:** Tenderers must **demonstrate their current service capacity** in each individual lot staff available for work (at time of certifying) and **how capacity will be provided for across the geographical area** from commencement of these arrangements. A **staff listing** (in attachment to the Tender Response Document) must be provided certifying that staff are available within each tendered Lot, their years of experience in home care or related environment, qualifications, training plan, Garda vetting status, length of time working for Tenderer, carers competency assessment. Tenderers are reminded that resourcing will be assessed on a per Lot basis. Tenderers who propose to use the same resources for multiple Lots must clearly and objectively show that the use of the same resources across more than one Lot will not adversely impact service delivery or response times. The HSE reserves the right to request documentary evidence in relation to all, or selected, staff listed as part of the evaluation and on-going monitoring arrangements.
- **Prior experience:** Tenderers must provide **details of experience in providing services** similar in nature and volume to the Services sought in this tender process, over the last 3 years. The HSE will require references to validate details of this experience.
- **Future staffing capacity:** Tenderers must provide a robust **plan for the retention and recruitment of staff** to include evidence of the following :
 - Recruitment campaigns in the last 12 month period
 - Staff surveys
 - Plans for future recruitment campaigns
 - Actions undertaken and planned to retain staff

The HSE reserves the right to undertake site visits and/or to seek appropriate documentary evidence, to support claims made either in relation to any or all of the above requirements, as part of evaluation and/or as part of monitoring arrangements in the operation of these arrangements.

Successful Tenderers will be subject to on-going service delivery monitoring to ensure that they are meeting these requirement in accordance with their tender proposals.

Please refer to the Tender Response Document for further details.

Step 4 - Commercial proposals evaluation

If Tenderers meet the requirements under steps three on pass/fail basis, they will then be considered under Step four as follows:

- A. Following extensive consultation with the marketplace in advance of this tender process, the HSE has reviewed its options in relation to the commercial strategy for this tender.
- B. In the commercial evaluation step, Tenderers will be asked to submit their pricing as per the Compulsory Pricing Schedule, see attachment to the Tender Response Document.
- C. Marks will be awarded based on the following formula:

In relation to cost, the highest mark is assigned to the tender with the lowest Ultimate Cost that is deemed to meet requirements in step 1, 2, & 3. The score assigned for cost for all other Tenders cost scores is calculated pro rata in relation to this score. See below breakdown of weightings and marks.

No.	Cost Description	Cost weighting	Marks
1	Tendered hourly Day rate 08.00 to 22.00 Monday to Saturday	75%	75
2	Tendered hourly Day rate 08.00 to 22.00 Sundays and Bank Holidays	5%	5
3	Tendered hourly Night rate 22.00 to 08.00 Monday to Saturday	5%	5
4	Tendered hourly Night rate 22.00 to 08.00 Sundays and Bank Holidays	5%	5
5	30 minute rate 08.00 to 22.00 Monday to Saturday only	5%	5
6	30 minute rate 08.00 to 22.00 Sundays and Bank Holidays	5%	5
	Total	100%	100

If prices are not acceptable (i.e. affordable) to the HSE for specific Lots, then the HSE reserves the right to terminate the tender process for the affected Lot.

Please refer to the Compulsory Pricing Schedule attached to the Tender Response Document for all further details.

7) APPLICATION OF FRAMEWORK – ALLOCATION OF SERVICES

Tier 1

Tenderers will be evaluated based on the award criteria set out above and the top X (see Appendix 1 of this document) which identifies the maximum number of Approved Providers per Lot) in each Lot will be recommended to become the Tier 1 Approved Providers.

Tier 2

Tenderers that fall outside the top X (Tier 1) in a Lot (as per Appendix 1 of this document) will be offered an opportunity to be a Tier 2 Approved Provider. These Tenderers may accept or reject such an offer. It should be noted that this offer will be conditional, on the same pricing as the average of the top 2 lowest prices in Tier 1. Therefore, the Tier 2 Approved Provider must agree to the same prices as the average of the top 2 lowest prices provided for in Tier 1 in respect of that Lot. This anonymised information will be provided with the offer.

Tier 2 Approved Providers will only be utilised if the Tier 1 Approved Providers are unable to provide a service within HSE specified timelines.

Tenderers that fall outside the Tier 1 Approved Providers in a Lot, and do not accept the offer to become a Tier 2 Approved Provider, shall not be appointed as Approved Providers under this tender process. Such service providers may therefore be excluded from providing any future requirements the HSE may have for Home Support Services during the duration of this framework/contract.

In the event that the number of Approved Providers for a given Lot is less than the maximum proposed for that Lot, all eligible Approved Providers for that Lot (that is all service providers who pass the minimum requirements) shall be Tier 1 Approved Providers.

The Framework/Contract

It is anticipated that the process for the award of service under the Framework will be structured as follows:

1. The client will require Home Support Services (HSS);
2. The HSE agrees and approves hours (or monetary value & indicative hours for Consumer Directed Home Support CDHS), service requirements, etc. having regard to client's assessed need & available resources in the area;
3. The HSE will provide a list of Tier 1 Approved Providers to the client and the client selects their preferred provider(s);
4. Where **CDHS approach is approved** the client will contact his/her chosen provider from the Tier 1 list of Approved Providers to arrange services in line with CDHS approach determined by the HSE
5. Where **CDHS approach is not applicable**, the following approach will apply:
 - (a) if the **client has chosen a specific Tier 1 Approved Provider**, an email will issue to that Tier 1 Approved Provider and provided that Tier 1 Approved Provider responds within the timeframe contained in the email, with a named carer, that Tier 1 Approved Provider shall be awarded the Services required by the client.
 - (b) If the **client chooses more than one Tier 1 Approved Provider**, then an email will issue to all of those Tier 1 Approved Providers identified by the client. The first Tier 1 Approved Provider to respond to the email within the HSE timeline, confirming it is in a position to provide the Services, and identifying a named carer, shall be awarded the contract for Services for the client.
 - (c) If the **client has not chosen a Tier 1 Approved Provider or the client's selected provider cannot deliver the Service**, then the HSE will email all Tier 1 Approved Providers, and provided that a Tier 1 Approved Provider responds within the timeframe contained in the email, with a named carer, that Tier 1 Approved Provider shall be awarded the contract for service to the client. Such Tier 1 Approved Provider shall be paid based on the rates tendered by them in the 2018 tender process.
 - (d) If **no Tier 1 provider responds within the HSE timeline**, having applied the above approach, then the HSE will email all Tier 2 Approved Providers. If a Tier 2 Approved Provider responds within the timeframe contained in the email, with a named carer, that Tier 2 Approved Provider shall be awarded the contract for service to the client unless a Tier 1 provider has responded in the intervening period, with a named carer, in which case the Tier 1 provider will be awarded the contract for service to the client. HSE will email all Approved Providers (Tier 1 and Tier 2 Approved Providers who were notified of the service requirement) to advise that the Service requirement has been filled.
 - (e) If **no Tier 1 or Tier 2 Approved Provider responds within in the HSE timeline**, the HSE may make contact with service providers who met standards, but who opted not to join Tier 2. HSE will not pay any rate to such providers above the rate applicable to Tier 1 Approved Provider – i.e. no rate above the average of the top two (2) lowest prices. If any such Approved Provider accepts the work (i.e. by submitting an email with a named carer) an email will issue to the Tier 1 & Tier 2 Approved Providers, informing them that the requirement is filled. The HSE will require any such providers to complete a Service Arrangement.
6. If the above process does not fulfil the requirement, HSE will reserve the right to examine what alternative options are available to deliver the support required by the client including clustering of clients in geographical areas.

Following commencement of these arrangements, Home Support Services which are not being provided, to the client, by HSE employed staff, will be allocated on the basis of client choice in the first instance as set out above.

8) CONTRACT AWARD

No contract to which a standstill period applies will be executed or take effect until a voluntary period of at least [fourteen] calendar days (if the notice is sent by fax or electronic means) or [sixteen] calendar days (if the notice is sent by any other means) after the day on which the unsuccessful Tenderers have been sent the appropriate notice informing them of the result of this Tender Process (the “Standstill Period”).

9) CONSORTIA

Organisations and in particular SME’s, are encouraged to consider a consortium, where they are not of sufficient scale to tender in their own right. Their tender will require that there is a Lead/Prime Entity for all such groupings and undertakings who assumes full responsibility for the delivery of the Contract. If a tender is submitted by a group of Tenderers or subcontractors, each entity must show that they have the required economic and financial capacity and the professional and technical ability to perform the Services in the Tender.

Please see the attachment “*Frequently Asked Questions in relation to Tender Submissions by Consortia and HSE Responses (Based on 2016 Tender Queries)*” to assist in consortium related queries.

10) OPERATION OF AGREEMENTS

Successful Tier 1 & Tier 2 Approved Providers will be required to sign Service Arrangements with the relevant CHO requiring them to comply fully with the tender and local service delivery requirements. The service agreements will be based on the HSE’s historical standard Service Arrangements, which are available on request.

The Service Arrangements will be subject to continuous performance monitoring and on-going review. Regular service provider audits will also be conducted by HSE Health service personnel, and/or by a central contract management unit. The nature and extent of audits will be decided by HSE.

Service Arrangements will be finalised with Tier 1 & Tier 2 Approved Providers for a period up to 31/12/2020, and will be finalised on a CHO Lot by Lot basis. HSE reserves the right to extend the duration of the arrangements arising from this tender by a further two years up 31/12/2022. **This is subject to the reservations in the note on Page 7 of this document.**

Home Support Services approved by HSE will be assigned to Tier 1 Approved Providers on the basis of client (i.e. service user) choice in the first instance.

The client will be provided with a list of Tier 1 Approved Providers in random order (selected on a once off basis by HSE procurement team using a random selection tool), when support is being offered in order for the client to make this choice. In cases where client is not able or is unwilling to choose, an Approved Provider will be selected as set out in Section 7 above.

The HSE is introducing **Consumer Directed Home Support (CDHS)** across the 9 CHOs as an additional service delivery mechanism. Standard Operating Procedures are being finalised having regard to the evaluation of a pilot project undertaken in 2016/2017 & having regard to HSE requirements with regard to scope, design, approach and value for money principles. The operation of CDHS will not conflict with the tender requirements or specifications.

CDHS will not replace existing mechanisms of service delivery as they currently stand, but rather will enhance service delivery options for individual suitable clients. The enhancements are expected to relate to the greater choice for the client in terms of days and times of service delivery whereby HSE staff will determine only those

times/days that are essential in terms of a clients assessed need e.g. a medication prompting requirement at particular time of day. The client would then be free to arrange the delivery of the remaining approved level of home support directly with the chosen Approved Provider in compliance with the tender arrangements and in consultation with informal carers if appropriate to the client. In addition to the client specific benefits this will bring, it is expected that the approach will deliver a mechanism to improve rostering of staff by helping to reduce the concentration of service delivery at key times of day. This may assist providers in delivering service capacity. Further details on CDHS are included in the Service Specification document.

Approved Providers must deliver the entire approved home support hours requirement offered by the HSE and the Approved Provider cannot choose to deliver only a portion of the requirement offered by the HSE (unless client insists on staying with existing provider for the existing hours in which case existing rates will continue to apply).

Tenderers should be aware that the HSE does not guarantee that they will be awarded any call-off business or contracts or any quantum of services on foot of these Service Arrangements. Any data provided in relation to historical services allocated does not guarantee any award of business and subsequent draw down during the lifetime of the Arrangements is subject to funding availability, the offering of a specific support service and the finalisation of a related care plan.

10.1 Contract Management

Site visits may be conducted by the HSE as part of the tender process, and thereafter for contract audit and monitoring purposes, during the lifetime of the Service Arrangements. Furthermore the HSE may at its discretion seek additional documentation as part of its tender evaluation process or in relation to the signing of the Service Arrangements and annual reviews of same e.g. annual declaration of continuing compliance.

In certain circumstances local service managers are required to seek Home Support Services as a matter of urgency, for example when a client is being discharged from an acute hospital setting, etc. The amount of time to be accorded to Approved Providers to respond to offers of services will therefore depend on the prevailing circumstances, and will be determined as appropriate by the service manager making the request.

The HSE reserves the right to remove service providers temporarily and/or permanently from the Approved Providers list(s) if acceptable performance is not demonstrated. Tenderers attention is drawn to Section 10.2 below.

The Service Arrangements will be subject to review on an on-going basis. The Approved Provider(s) (Tier 1 & Tier 2) will be expected to participate in monitoring (as well as providing periodic management reports for contract duration to the HSE) and continuously improving the service provider/purchaser relationship.

10.2 Performance Monitoring and related sanctions

Key performance indicators, in accordance with the required services, have been identified and will be included in the Contract. These will include penalties for non-performance or under-performance in relation to the Service Specifications. These penalties will escalate according to the severity of the non-compliance, and include, but not be limited to:

1. Suspension from the agreement for a defined period of time (one / three / six months) for new packages;
2. Removal of existing packages due to non-responsiveness to requests for services under the Framework/failing to meet response times/ failure to deliver the required services / duty of care concerns;
3. Termination of the Agreement

10.3 Agreement Duration

It is intended to award agreements for a period to 31st December 2020. HSE reserves the right to extend the duration of the arrangements arising from this tender by a maximum further two years up to 31/12/2022. **This is subject to the reservations in the note on Page 7 of this document.**

10.4 Notes on Pricing

The HSE reserves its right to allocate 30 minute calls where, in its reasonable opinion, such represents an appropriate input to support clients' needs. The use of half hour calls for new clients will be reviewed in the context of the implementation of the Service Arrangement with the intention to:

- Limit the extent of half hour calls to no more than 25% of new clients approved for Home Support (under Tender 2018 and/or Tender 2016) in any CHO, to any one Approved Provider **at any time.**

Please refer to Compulsory Pricing Schedule (see Tender Response Document).

10.5 Cancellation of Calls

The HSE will not pay cancellation fees where any Home Support Service is cancelled with eight (8) hours prior notice. In the event that the HSE or the client does not provide eight (8) hours notice of cancellation to the provider and the provider is not then required, the HSE will pay the provider in respect of 50% of the charge applicable to the cancelled call only and no further charge shall be payable by or on behalf of the provider.

The HSE will, in certain circumstances, approve travel arrangements particularly where it appears to the HSE to be of benefit for maintaining services in rural areas.

All services performed by all approved service providers will be paid for by HSE on an invoiced basis.

10.6 Grant Funded Arrangements

No service provider shall use grant funding to discharge the cost of Services performed under the Service Arrangements. In respect of any provider providing services under the Service Arrangement which is currently in receipt of grant funding for providing those Services, it is intended that the grant funding for that service provider shall be reduced by the amounts invoiced by them to the HSE for the provision of services under the Service Arrangements.

Where an Existing HSS client receiving Services funded through grant funded arrangements is approved for additional HSS, both the existing service and the additional HSS must be provided by an Approved Provider.

- (a) If the **existing provider is a grant funded provider & is an Approved Provider in this tender & is chosen** by the client/allocated the Service, the grant funding for that provider will be reduced having regard to the existing hours (pre Tender 2018) and the Tender 2018 approved rates per hour.
- (b) If the **existing provider is a grant funded provider & is not allocated the service** (not chosen/not allocated the Service/not an Approved Provider) then the grant funding is reduced having regard to the existing hours & the grant funding rate per hour that applies to that grant aided provider.
- (c) If **client insists**, they can stay with an existing grant funded provider but can do so only for existing hours (i.e. hours in place on commencement date of these arrangements) in which case the grant funding will not be impacted until client ceases or alternative arrangements are made. When grant funded clients cease, the grant funding will be reduced having regard to the existing hours & the grant funding rate per hour that applies to that grant aided provider.

For example, a service provider is delivering five (5) HSS hours from grant funding, and from a given date will also deliver ten (10) additional home support hours by virtue of being an Approved Provider, then all fifteen (15) hours performed by that service provider for that individual client (in respect of both grant funded traditional Home Help Services and additional HSS hours) will be paid for on an invoiced basis at the rates tendered by that organisation under this tender process. Grant funding for the relevant Services will, in this case, be reduced based on the five (5) HSS hours from grant funding and the tendered rates submitted as part of this Tender.

11) TUPE

The HSE is of the view that the E.C (Protection of Employees on Transfer of Undertakings) Regulations 2003 are unlikely to apply in respect of the provision of the Services. It should be noted that the application of the Regulations is determined by operation of law and on a case by case basis and as such the Tenderer should satisfy itself regarding the application of the Regulations based on its own legal advice having regard for the manner in which the Tenderer proposes to deliver the Services. *To the extent that the Regulations apply then the obligations and cost that arise therefrom shall be a matter to be agreed between the transferor and the transferee (not the HSE).*

Appendix 1 – Lots

Estimated Home Support Clients Requiring Services in Full Year			
Lot Number	Lot Description	Approximate Number of Home Support clients in Full Year	Maximum number of Approved Providers
Population 389,048	Cavan Monaghan	150	
	Donegal	125	
	Sligo Leitrim	25	
Regional Lot 1	Total	300	8
Population 445,356	Galway	610	
	Mayo	70	
	Roscommon	20	
Regional Lot 2	Total	700	10
Population 379,327	Clare	270	
	Limerick	245	
	North Tipperary East Limerick	185	
Regional Lot 3	Total	700	10
Population 664,533	Kerry	30	
	North Cork	30	
	North Lee	50	
	South Lee	50	
	West Cork	10	
Regional Lot 4	Total	170	6
Population 497,578	Carlow Kilkenny	45	
	South Tipperary	50	
	Waterford	75	
	Wexford	60	
Regional Lot 5	Total	230	7
Population 364,464	Dublin South East	350	
	Dun Laoghaire	500	
	Wicklow	350	
Regional Lot 6	Total	1,200	15
Population 674,071	Dublin South City	250	
	Dublin South West	400	
	Dublin West	350	
	Kildare West Wicklow	380	
Regional Lot 7	Total	1,380	15
Population 592,388	Laois Offaly	195	
	Longford Westmeath	250	
	Louth	160	
	Meath	160	
Regional Lot 8	Total	765	12
Population 581,486	Dublin North	800	
	Dublin North Central	600	
	Dublin North West	700	
Regional Lot 9	Total	2,100	16
Total		7,545	

*Table is derived from number of new packages allocated in 2017 adjusted upwards to reflect anticipated number of new clients within the single funded Home Support Service & taking account of the anticipated requirement for a volume of external service providers in each CHO. The number of hours per client varies considerably but an average of 5 hours per week per client is considered to be a reasonable estimate.